REMARKS

Claims 1-8 stand rejected under 35 USC §102(a) as having been anticipated by an article entitled "FASTBALL.com's 'Decode & Win Game", by Debra Ray, which was published on November 1997 (Dialog 01539026 01-90014). The Examiner properly noted that the article by Ms. Ray describes that FASTBALL.com's Decode & Win Game proved that a compelling promotion can not only generate trial, but also bring repeat visitors or players to an online service or website in order to increase traffic at the web site. Without going into the detail present in the Office Action, suffice it to say that the Applicants concur with the Examiner's interpretation of the contents of the article.

Notwithstanding the foregoing acknowledgment as to the content of Ms. Ray's article, what the Examiner did not learn from the article was that Ms. Ray was merely acting as a reporter, who was reporting on a promotion which used by Cox Interactive Media. The article refers to the decoder as being "... a patent-pending decoder device ..." In fact, the patent application referred to in the article was the parent of the present application, namely, U.S. Ser. No. 09/081,795 ("the '795 Application"), now U.S. Patent No. 5,984,367 ("the '367 Patent"), which was filed on May 20, 1998 by Mr. Barnhart and Mr. Brooks, the named inventors of the present application. Thus, while the article incorrectly reported that the game piece was "patent pending", the actual patent application which was the parent of the present application, was not filed until about five months following the date of the article.

Further, the article refers to the decoder as having been created by Promotions Unlimited, Inc., which was a company in which one of the joint inventors in the present

application, namely, Thomas Barnhart, was a principal. His wife, Sharon Barnhart was the registered agent, as shown by attached annual corporate filing made in the Office of the Secretary of State of Georgia by Mrs. Barnhart, as the agent for Promotions Unlimited, Inc.

In view of the foregoing, it is clear that the rejection of the application, under 35 U.S.C. §102(a) is improper, as the invention was not known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent. In fact, the very article to which the Examiner made reference reports on the work of the present inventors, who claimed the priority of their earlier filed application.

Based on the foregoing, the present application is now in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

/ Sanford J. Asman /

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Attachment: Annual Corporate Filing of Promotions Unlimited, Inc.

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BR203 (12-2000) CORPORATION ANNUAL REGISTRATION

	ADDRESS	CITY	STATE	ZIP
PROMOTIONS UNLIMITED, INC.	#2260, 3340 PEACHTREE RD.	ATLANTA	GA	30326

PRINCIPAL OFFICERS AND REGISTERED AGENT (AGT)

CEO:	**PLEASE ENTER ADDRESS BELOW**	*ENTER CITY BELOW*	**	*****
CFO: **NO NAME ON FILE ENTER BELOW*	**PLEASE ENTER ADDRESS BELOW**	*ENTER CITY BELOW*	**	*****
SEC: **NO NAME ON FILE ENTER BELOW*	**PLEASE ENTER ADDRESS BELOW**	*ENTER CITY BELOW*	**	*****
AGT: JAMES G. KILLOUGH	#550, 3312 PIEDMONT ROAD	ATLANTA	GA	30305

IF ABOVE INFORMATION HAS CHANGED, TYPE OR PRINT CORRECTIONS BELOW

CORPORATION ADDRESS: Same as G.				
CEO:				
CFO:				
SEC:				
AGT: Sharon Barnhart	PO BOX NOT ACCEPTABLE 3340 Peachtree Rd Ste 2260	Atlanta	GA	30326

I HEREBY CERTIFY THAT I AM AUTHORIZED TO SIGN THIS FORM, AND THAT THE INFORMATION IS TRUE AND CORRECT.

AUTHORIZED SIGNATURE: [signature] DATE: 3/12/01

TITLE: Sec/Treas PHONE #: 404 266 0674

COUNTY OF REGISTERED OFFICE: FULTON

COUNTY CHANGE OR CORRECTION:

FEE :$30.00 GA 12/13/99 DP D K953411

BR203 (12-00) 2001 CORPORATION ANNUAL REGISTRATION

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